

E-FILED 1/12/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GIUSEPPE CAMPANELLA, et al.,

NO. C 04-4906 RS

Plaintiffs,

v.

**ORDER REGARDING
PLAINTIFFS' OBJECTIONS TO
DEFENDANTS' DEPOSITION
EXCERPTS**

LYNETTE LONGORIA, et al.,

Defendants.

A. Plaintiffs' Objections to Deposition Excerpts of Giuseppe Campanella

The following rulings address plaintiffs' objections to defendants' designation of deposition excerpts of Giuseppe Campanella. Where the objection is overruled thereby permitting the use of the excerpt, all colloquy between counsel within the relevant entry is ordered to be redacted before presentation to the jury. The order of the Court is as follows:

- | | |
|-------------------|---|
| (1) 253:19-257:1 | Objection overruled as to the testimony, and sustained to the extent defendants seek to introduce the appraisal referred to in the excerpt. |
| (2) 301:23-307:20 | Objection overruled. |
| (3) 307:21-310:22 | Objection sustained. |
| (4) 310:22-311:20 | Objection overruled. |
| (5) 417:4-426:2 | The excerpt may be used but the parties are instructed to substitute language such as "when I gave testimony" in lieu of all references to |

"trial" or "criminal trial."

(6) 426:16-427:18 Objection sustained.

(7) 429:10-431:18 Objection sustained.

(8) 432:21-433:15 Objection sustained.

(9) 433:16-433:19 No objection invoked.

(10) 433:20-435:3 Objection sustained.

(11) 437:23-438:2 Objection sustained.

B. Plaintiffs' Objections to Deposition Excerpts of Lynette Campanella

The following rulings address plaintiffs' objections to defendants' designation of deposition excerpts of Lynette Campanella. Where the objection is overruled thereby permitting the use of the excerpt, all colloquy between counsel within the relevant entry is ordered to be vacated before presentation to the jury. The order of the Court is as follows:

(1) 34:21-42:24 Objection sustained.

(2) 42:25-43:14 Objection overruled.

(3) 161:1-17 Objection sustained.

(4) 427:4-8 Objection overruled but if excerpt is used, 427:8-15 shall also be presented.

(5) 428:1-5 Objection sustained.

(6) 447:16-454:10 Objection sustained.

(7) 454:11-466:4 Objection overruled.

(8) 466:5-475:23 Objection sustained. Cumulative.

(9) 475:24-481:11 Objection overruled.

(10) 488:5-24 Objection sustained.

(11) 582:21-583:24 Objection sustained.

(12) 607:12-608:1 Objection sustained.


(13) 612:2-613:2 Objection sustained.

(14) 622:21-23 Objection sustained.

(15) 629:23-630:4 Objection overruled.

IT IS SO ORDERED.

Dated: January 12, 2009


RICHARD SEEBORG
United States Magistrate Judge